

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ZOSTAVAX (ZOSTER VACCINE : MDL NO. 2848
LIVE) PRODUCTS LIABILITY :
LITIGATION : CIVIL ACTION NO. 18-md-2848

THIS DOCUMENT RELATES TO: :

DAVID R. ELMEGREEN as Trustee of :
THE SUE A. ELMEGREEN TRUST v. :
MERCK & CO., INC., et al. :
Civil Action No. 17-2044 :
:

PRETRIAL ORDER NO. 461

AND NOW, this 14th day of December, 2022, for the
reasons set forth in the foregoing Memorandum, it is hereby
ORDERED that:

(1) the judgment of the Clerk awarding costs in favor
of Merck & Co., Inc. and Merck, Sharp & Dohme Corp.¹ ("Merck")
and against plaintiff David R. Elmegreen as Trustee of The Sue
A. Elmegreen Trust (Doc. # 75) is AFFIRMED IN PART AND REVERSED
IN PART; and

(2) costs are taxed in favor of Merck and against
David R. Elmegreen as Trustee of The Sue A. Elmegreen Trust in
the amount of \$13,627.36.

BY THE COURT:

/s/ Harvey Bartle III

J.

1. Defendant Merck Sharp & Dohme Corp. is now known as Merck Sharp & Dohme LLC.